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Attorneys for Defendants

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

QIN CHEN,)	No. C 07-4688 HRL
)	
Plaintiff,)	
)	
v.)	
)	
MICHAEL B. MUKASEY,* United States)	ADR CERTIFICATION
Attorney General; MICHAEL CHERTOFF,)	
Secretary of the Department of Homeland)	
Security; EMILIO T. GONZALEZ, Director)	
of the Citizenship and Immigration Services;)	
ROBERT S. MUELLER III, Director of the)	
Federal Bureau of Investigation,)	
)	
Defendants.)	
)	

Each of the undersigned certifies that he or she has read either the handbook entitled “Dispute Resolution Procedures in the Northern District of California,” or the specified portions of the ADR Unit’s Internet site <www.adr.cand.uscourts.gov>, discussed the available dispute resolution options provided by the court and private entities, and considered whether this case might benefit from any of them.

Here, the parties agree that referral to a formal ADR process will not be beneficial because this mandamus action is limited to Plaintiff’s request that this Court compel Defendants to

*Pursuant to Fed. R. Civ. P. 25(d)(1), Michael B. Mukasey is substituted for his predecessor, Alberto Gonzales, as the United States Attorney General.

1 adjudicate the application for adjustment of status. Given the substance of the action and the lack
2 of any potential middle ground, ADR will only serve to multiply the proceedings and unnecessarily
3 tax court resources. Accordingly, pursuant to ADR L.R. 3-3(c), the parties request the case be
4 removed from the ADR Multi-Option Program and that they be excused from participating in the
5 ADR phone conference and any further formal ADR process.

6 Dated: November 27, 2007

Respectfully submitted,

7 SCOTT N. SCHOOLS
8 United States Attorney

9 /s/
10 MELANIE L. PROCTOR¹
11 Assistant United States Attorney
12 Attorneys for Defendants

13 Dated: November 26, 2007

14 /s/
15 JUSTIN FOK
16 Attorney for Plaintiffs

17 **ORDER**

18 Pursuant to stipulation, IT IS SO ORDERED.

19 Dated: _____, 2007

20 HOWARD R. LLOYD
21 United States District Judge
22
23
24
25
26

27 _____
28 ¹I, Melanie L. Proctor, hereby attest that I have on file all holograph signatures for any
signatures indicated by a “conformed” signature (/S/) within this efiled document.